

PATENT

App. Ser. No.: 10/600,383
Atty. Dkt. No. ROC920030172US1
PS Ref. No.: IBMK/30172

REMARKS

This is intended as a full and complete response to the Office Action dated December 6, 2005, having a shortened statutory period for response set to expire on March 6, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-28 are pending in the application. Claims 1-28 remain pending following entry of this response. Claims 1-17 have been amended. Applicants submit that the amendments do not introduce new matter.

Claim Rejections - 35 U.S.C. §112

Claims 1, 11 and 17 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention.

Claims 1, 11, and 17 have been amended by deleting the word "sufficient" from the claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejections - 35 U.S.C. § 101

Claims 1-9 and 17-28 are rejected under 35 U.S.C. §101 because the claims are directed to a non-statutory subject matter, specifically, directed towards an abstract idea.

Examiner suggests the Applicants amend the preamble of claims 1-8 to include "A computer-implemented" in order to satisfy the requirements of 35 U.S.C. §101.

Applicants have amended the preamble of method claims 1-10 to include "computer-implemented" and now believe that the amended claims satisfy the requirements of 35 U.S.C. §101.

Examiner further suggests Applicants amend claims 9-18 with the term "storage." Respectfully, Applicants point out that claims 9 and 10 are method claims. Also,

Page 8

435028_1.DOC

PATENT

App. Ser. No.: 10/600,383
Atty. Dkt. No. ROC920030172US1
PS Ref. No.: IBMK/30172

Applicants point out that claims 17 and 18 are system claims. Therefore, the proposed amendments to these claims are not appropriate. However, Applicants have amended claims 11-16 with the term "storage." Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 1-7, 10-18 and 20-28 are rejected under 35 U.S.C. §102(e) as being anticipated by *Pierre Bensoussan et al*, (US Patent No. 6,581,068 B1 and *Bensoussan* hereinafter).

Applicants respectfully traverse this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

At least one embodiment of the present invention is directed to creating an edge definition for the data points comprising information which defines at least two edges that bind the data points; wherein the bound data points share at least one common annotation.

Bensoussan is directed to a method, system and article of manufacture for enhancing the ability to aggregate, analyze and report data from a multidimensional database.

In this case, *Bensoussan* does not disclose "each and every element as set forth in the claim." For example, *Bensoussan* does not disclose an edge definition binding a plurality of data points, wherein the edge definition comprises a fewer number of data points than the plurality of data points associated with a common annotation.

PATENT
App. Ser. No.: 10/600,383
Atty. Dkt. No. ROC920030172US1
PS Ref. No.: IBMK/30172

Therefore, Applicants believe that the rejections are improper and request the rejection be withdrawn and that the claims be allowed.

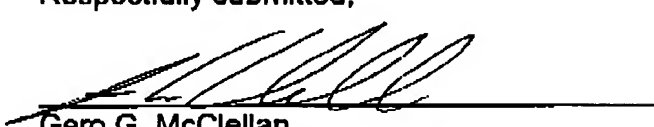
Claims 8, 9, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Bensoussan* in view of *Salomie* (US Patent No. 6,581,068 B1, hereinafter *Salomie*). For the reasons given above with respect to *Bensoussan*, Applicants submit the present rejection is obviated. Therefore, the claims are believed to be allowable, and allowance of the claims is respectfully requested.

Conclusion

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to the Applicants' disclosure than the primary references cited in the office action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this office action.

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



Gero G. McClellan
Registration No. 44,227
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicants